

1                   **DECLARATION, POWER OF ATTORNEY, AND PETITION**

2                   As a below named inventor, I hereby declare that:

4                   My residence, post office address and citizenship are as stated below next to my name.

5                   I believe I am the original, first and sole inventor (if only one name is listed below) or an  
6                   original, first and joint inventor (if plural names are listed below) of the subject matter which is  
7                   claimed and for which a patent is sought on the invention entitled: BALANCE OF PRECISION  
the specification of which:

8                   (check one) XX is attached hereto. \_\_\_\_\_ was filed on \_\_\_\_\_ as  
Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)

9                   I hereby state that I have reviewed and understand the contents of the above-identified  
10                  specification, including the claims, as amended by any amendment referred to above.

11                  I hereby acknowledge the duty to disclose information which is material to the examination  
of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

12                  I hereby claim foreign priority benefits under Title 35, United States Code §§ 119; 365 of any  
13                  foreign application(s) for patent or inventor's certificate listed below and have also identified below  
14                  any foreign application for patent or inventor's certificate having a filing date before that of the  
application on which the priority is claimed:

16                   **Prior Foreign Application(s)**

			Priority Claimed	
N/A (Number)	(Country)	Day/month/year filed	Yes	No
N/A (Number)	(Country)	Day/month/year filed	Yes	No
N/A (Number)	(Country)	Day/month/year filed	Yes	No

25                  I hereby certify that this correspondence is being  
deposited with the United States Postal Service as:

EXPRESS MAIL NO. ER 395 300 686 US

26                  in an envelope addressed to: Attn. Applications

COMMISSIONER OF PATENTS, P.O. Box 1450

27                  Alexandria, VA 22313-1450 on: April 9, 2004

28                    
TOD R. NISSLER, Reg. No. 29,241

04/09/04

DATE

I hereby claim the benefit under Title 35, United States Codes §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §156(a) which occurred between the filing date of the prior application and the national or PCT international filing of this application:

N/A

**(Application Serial No)**      **(Filing Date)**      **(Status)** (patented, pending, abandoned)

N/A

**(Application Serial No)      (Filing Date)      (Status) (patented, pending, abandoned)**

I hereby claim the benefit under Title 35, United States Code §119 (e) of any United States provisional applications listed below, and insofar insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States provisional application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §156(a) which occurred between the filing date of the prior application and the national or PCT international filing of this application:

60/461,719

04/10/03

Pending

(Provisional Application Serial No) (Filing Date) (Status - pending)

N/A

(Provisional Application Serial No) (Filing Date) (Status - pending)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1           **And I hereby appoint:**

2           **Tod R. Nissle, Esq. Reg. No. 29,241**

3           **TOD R. NISSLE, P.C.**

4           **P.O. Box 55630**

5           **Phoenix, Arizona 85078**

6           **Tel: (602) 494-8700**

7           **Fax: (602) 494-8707**

8           **Email: nissle@nissle.com**

9           **my attorney and with full power of substitution and revocation, to prosecute this application and to  
transact all business in the United States Patent and Trademark Office connected therewith.**

11           **Wherefor I pray that Letters Patent be granted to me for the invention or discovery described  
and claimed in the foregoing specification and claims, and I hereby subscribe my name to the  
foregoing specification and claims, declaration, power of attorney, and this petition.**

1 Full name of sole or first inventor: LLOYD P. KISSICK

2 Inventor's signature: Lloyd P. Kissick Date: 04/09/04

3 Residence: PO BOX 26604, Tempe, Arizona 85285

4 Citizenship: UNITED STATES OF AMERICA

5 Post Office Address: Same

6 Full name of second inventor: N/A

7 Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

8 Residence: \_\_\_\_\_

9 Citizenship: \_\_\_\_\_

10 Post Office Address: \_\_\_\_\_

11 (Supply similar information and signature for third and subsequent joint inventors)

12 Attorneys Docket No.: 597-P-4

13 Tod R. Nissle, Esq.

14 Reg. No. 29,241

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant** : **LLOYD P. KISSICK**  
**Serial No.** :  
**Filed** : **Concurrently herewith**  
**For** : **BALANCE OF PRECISION**

**DECLARATION VERIFYING SMALL ENTITY STATUS  
UNDER 27 C.F.R. 19(f) AND 1.27(b)**

**Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**

**Dear Sir:**

**As a named inventor, I hereby state that I qualify as an independent inventor as defined in 37 C.F.R. 1.9 (c) for purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the above-identified patent.**

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 27 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9 (e). Any person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is identified below:

I hereby certify that this correspondence is being deposited with the United States Postal Service as:  
EXPRESS MAIL LABEL NO. ER 395 300 686 US  
in an envelope addressed to: Box Applications,  
COMMISSIONER FOR PATENTS, P.O. Box 1450,  
Alexandria, VA 22314-1450 on April 9, 2004.

TOD R. NISSEI, Reg. No. 29,241 DATE

1      Full Name: N/A

2      Address: \_\_\_\_\_

3      \_\_\_\_\_

4       Individual       Small Business       Non profit Organization

5      \_\_\_\_\_

6      \_\_\_\_\_

7      Full Name: N/A

8      Address: \_\_\_\_\_

9      \_\_\_\_\_

10      Individual       Small Business       Non profit Organization

11     \_\_\_\_\_

12     I acknowledge the duty to file, in this patent, notification of any change in status  
13    resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the  
14    earliest of the issue fee or any maintenance fee due after the date on which status as a small entity  
15    is no longer appropriate. [37 C.F.R. 1.28(b)]

16     \_\_\_\_\_

17     I hereby declare that all statements herein of my own knowledge are true and that all  
18    statements made on information and belief are believed to be true; and further that these statements  
19    were made with the knowledge that willful false statements or the like so made are punishable by fine  
20    or imprisonment, or both, under §1001 to Title 18 of the United States Code, and that such willful false  
21    statement may jeopardize the validity of the application, any patent issuing thereon, or any patent to  
22    which this verified statement is directed.

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1      Name of Inventor: LLOYD P. KISSICK  
2      Address: PO BOX 26604  
3      Tempe, Arizona 85285  
4      Signature: Lloyd P. Kissick  
5      Date: April 9, 2004  
6  
7  
8      Name of Inventor: N/A  
9      Address:  
10     \_\_\_\_\_  
11     Signature:  
12     Date:  
13  
14  
15  
16     Attorney's Docket No.: 597-P-4  
17  
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